HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.18891 of 2007

6.9.2007

Between

Garapati Nukalamma ..Petitioner

AND

The Additional Agent to the Government, Rampachodavaram, East Godavari District and others ..Respondents

:: JUDGMENT :

HON'BLE SHRI JUSTICE NOOTY RAMAMOHANA RAO

W.P. No.18891 of 2007

Heard the learned counsel for the petitioner and the learned Government Pleader for Social Welfare.

Against an order passed by the Special Deputy Collector, Tribal Welfare, Rampachodavaram, East Godavari District in L.T.R.P No.2/2007 dated 14.8.2007 an Appeal has been preferred under the Andhra Pradesh Scheduled Area Land Transfer Regulations before the Additional Agent to the Government at Rampachodavaram. The Additional Agent to the Government, Rampachodavaram had not entertained the Appeal or the Interlocutory Application moved therein and consequently, the petitioner claims that she is subjected to tremendous pressure by the Special Deputy Collector, Tribal Welfare, Rampachodavaram to vacate and hand over the possession of the schedule land. Hence, this writ petition.

Once an Appeal is preferred to the Additional Agent to the Government, it is only expected that it is attended to at the earliest convenient time. If the Appeal itself cannot be decided, the Interlocutory Application moved by the parties seeking urgent interim orders could be attended to in the meantime. It is no doubt true that the Additional Agent of the Government may be preoccupied with more pressing and important public duties, but that is no justification for not entertaining the Appeals transferred to him for months together.

In these set of circumstances, I consider it appropriate to direct the Additional Agent to the Government, Rampachdavaram to entertain, hear and decide the Appeal

preferred against the orders of the Special Deputy Collector, Tribal Welfare, Rampachodavaram dated 14.8.2007 on or before 30th June, 2008. Till such time, there shall be stay of dispossession in favour of the writ petitioner, if not already dispossessed from the schedule land i.e. from Hec.2.81 in R.S.No.181 of Lothupalem Village, Devipatnam Mandal, East Godavari District. It is however open to the Additional Agent to the Government to independently consider the Interlocutory Application moved by the writ petitioner herein and decide the same on merits even before he decides the Appeal preferred to him.

With this, the writ petition stands disposed of.

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NOOTY RAMA MOHANA RAO.J.

Note: Furnish operative portion
of this order by wire at party's cost.
(bo)
6.9.2007
psr